

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

|   |   |                                |
|---|---|--------------------------------|
| <b>JOHN AND JANE DOE NO. 1,<br/>et al.,</b>                             | : | <b>CASE NO. 3:22-cv-00337</b>  |
|   | : |                                |
| <b>Plaintiffs,</b>  | : | <b>JUDGE MICHAEL J. NEWMAN</b> |
|   | : |                                |
| <b>vs.</b>  | : |                                |
|   | : |                                |
| <b>BETHEL LOCAL SCHOOL<br/>DISTRICT BOARD OF<br/>EDUCATION, et al.,</b> | : |                                |
|   | : |                                |
| <b>Defendants.</b>  | : |                                |

**THIRD DECLARATION OF JULIE E. BYRNE**

I, Julie E. Byrne, declare:

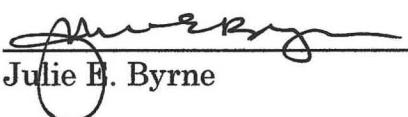
1. My name is Julie Elizabeth Byrne. I am over the age of 21 and fully competent to make this declaration.
2. I have personal knowledge of all of the facts stated in this declaration, and my statements in this declaration are true and accurate to the best of my knowledge, information, and belief.
3. I represent the plaintiffs in the above captioned case.
4. I provided the prior Declaration dated January 23, 2023 (Doc. 37-1), and the prior Second Declaration dated February 16, 2023 (Doc. 58-1).
5. On February 23, 2023 at 9:10 P.M., I sent to Defendants' counsel and Intervenor-Defendant's counsel an email and attached a proposed

unopposed motion and the accompanying brief in support regarding the Rule 11 safeharbor adjustment. Exhibit A is a true and correct copy of the email.

6. I did not receive a response to my email.

I declare under penalty of perjury that the foregoing is true and correct.

5/19/23  
Date

  
Julie E. Byrne

# EXHIBIT A



Julie Byrne <[jebyrne@ashbrookbk.com](mailto:jebyrne@ashbrookbk.com)>

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## Proposed Unopposed Motion

1 message

**Julie Byrne** <[jebyrne@ashbrookbk.com](mailto:jebyrne@ashbrookbk.com)>

Thu, Feb 23, 2023 at 9:10 PM

To: Lynnette Dinkler <[lynnette@dinkler-law.com](mailto:lynnette@dinkler-law.com)>, JP@johnpodgurski.com, David Carey <[dcarey@acluohio.org](mailto:dcarey@acluohio.org)>, mpicasso@aclu.org, rsaxe@aclu.org, afruitwala@aclu.org, mmeuti@beneschlaw.com, dhopkins@beneschlaw.com, Freda Levenson <[flevenson@acluohio.org](mailto:flevenson@acluohio.org)>

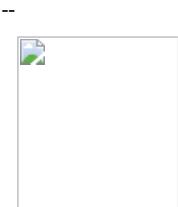
Cc: Nicholas Barry <[nicholas.barry@aflegal.org](mailto:nicholas.barry@aflegal.org)>, Joseph Ashbrook <[jpashbrook@ashbrookbk.com](mailto:jpashbrook@ashbrookbk.com)>

Counsel:

We would like to file the attached unopposed motion. The highlighted language would only be included if the motion is opposed. If opposed, then we would remove the "unopposed" notation in the captions.

We plan to file at 2 PM EST tomorrow. If we don't hear from you by then, we will assume that you are opposing the motion.

Thank you,  
Julie



**Julie E. Byrne**  
Attorney-at-Law  
[jebyrne@ashbrookbk.com](mailto:jebyrne@ashbrookbk.com)  
513.827.1776

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### 2 attachments

[ABK - Motion for Rule 11 Safe Harbor Adjustment - Proposed.pdf](#)  
80K

 [ABK - Brief for Rule 11 Safe Harbor Motion - Proposed.pdf](#)  
118K